HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2393 OF 2005.

Ashok Vishindas Chhabria & Anr. ...Applicants.

V/s.

The State of Maharashtra. ...Respondent

Shri Mahesh Jethmalani with Rahul Moghe for applicants.

Shri Satish Maneshinde for the orig. complainant.

Shri K.V.Saste, APP for State.

CORAM: A.M.KHANWILKAR,J
DATE : APRIL 12, 2005

P.C. :-

1. Heard counsel for the parties.

2. Having gone through the recod, in my opinion, it is not a case for anticipatory bail. Argument that offence under section 452 of the I.P.C is not made out, can be agitated before the appropriate court where regular bail application will be filed by the applicants. Suffice it to observe that there is no reason to depart from the conclusion reached by the Court below that it is not a case for anticipatory bail, in the fact situation of the present case. Hence this application is rejected.

3. However, the applicants are granted limited protection till 15th April, 2005 to enable them to surrender before the appropriate court and apply for regular bail, if so advised, which will be decided on its own merit, in accordance with the law.

4. The appropriate court may preferably dispose of the bail application on the same day unless there are good reasons for not doing so.

5. The applicants to give advance notice to the Investigating Officer before moving the appropriate court for bail.